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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronny van't Oever, et al.

Serial No.: 09/874,493

U.S. Patent No. 6,630,990

Filed: June 5, 2001

For: OPTICAL METHOD AND APPARATUS  
FOR RED BLOOD CELL DIFFERENTIATION ON  
A CELL-BY-CELL BASIS, AND  
SIMULTANEOUS ANALYSIS OF WHITE  
BLOOD CELL DIFFERENTIATION

Group Art Unit: 2876

Attorney Docket No.: 6811.US.O1

Date: March 20, 2006

CERTIFICATE OF MAILING (37 CFR

1.8(a)):

I hereby certify that this paper (along with any  
paper referred to as being attached or enclosed)  
is being deposited with the United States Postal  
Service on the date shown below with sufficient  
postage as first class mail in an envelope  
addressed to the:

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Deposited on: March 21, 2006  
Wanda E. Smith  
Wanda E. Smith

TRANSMITTAL LETTER

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate

MAR 27 2006

of Correction

Dear Sir:

Enclosed herewith for the patent application identified above entitled OPTICAL  
METHOD AND APPARATUS FOR RED BLOOD CELL DIFFERENTIATION ON A CELL-  
BY-CELL BASIS, AND SIMULTANEOUS ANALYSIS OF WHITE BLOOD CELL  
DIFFERENTIATION are the following:

1. Petition of Suspension of Rules according to 37 CFR § 1.183
2. Copy of Preliminary Amendment, sent on 6/22/01
3. Copy of return receipt postcard accompanying the Preliminary Amendment
4. Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required  
under 37 CFR §1.16, as well as any patent application processing fees under 37 CFR §1.17  
associated with this communication for which full payment had not been tendered, to Deposit  
Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Ronny van't Oever, et al.

23492

ABBOTT LABORATORIES  
Telephone: (847) 935-4314  
Facsimile: (847) 938-2623

Gabryleda Ferrari-Dileo  
Gabryleda Ferrari-Dileo  
Registration No. 55,174  
Attorney for Applicants



#18

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*Wanda E. Smith*  
Wanda E. Smith

PETITION OF SUSPENSION OF RULES ACCORDING TO 37 CFR § 1.1831.181  
recon

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This petition is being submitted under 37 CFR § 1.183 to suspend requirements of 37 CFR § 1.322.

In the interest of justice to enable the inventors of the above-identified patent to obtain rights in the full scope of their invention, this petition is respectfully submitted under 37 CFR § 1.183 to reconsider denial of the Request of Certificate of Correction submitted on October 27, 2005.

The following facts are presented to support this petition:


- 1) A Preliminary Amendment was filed on June 22, 2001 and received by the U.S.P.T.O. on June 25, 2001 (a copy of the Preliminary Amendment and a copy of the return Postcard accompanying the Preliminary Amendment are attached).
- 2) The undersigned believed that the Preliminary Amendment had been entered by the U.S.P.T.O.
- 3) Upon receipt of the issued patent, it was discovered that the claims, as issued, appeared as originally filed, and did not reflect the amendments requested in the Preliminary Amendment filed on June 22, 2001.
- 4) It appears that U.S.P.T.O. failed to enter the Preliminary Amendment.

- 5) If the Applicants had been notified or if the Applicants had suspected that the Preliminary Amendment had not been entered, Applicants would have filed a second Preliminary Amendment or filed a continuing application to ensure that the claims of the issued patent would reflect the full extent of the scope of their invention.
- 6) Because it is too late to file an application for reissue for the claims as desired, Applicants respectfully request reconsideration of the decision to deny the Request of Certificate of Correction submitted on October 27, 2005.
- 7) In the interest of justice to enable the inventors of the above-identified patent to obtain rights in the full scope of their invention, Applicants respectfully request that any error in procedure incurred be reconsidered.

Respectfully submitted,  
Ronny van't Oever, et al.

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